

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) KENNETH TUROCZI and
(2) TYRENE TUROCZI,

Plaintiffs,

vs.

(1) TRAVELERS COMMERCIAL
INSURANCE COMPANY,

Defendant.

Case No. 5:23-CV-00095-JD

PLAINTIFFS' MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

COME NOW Plaintiffs and seek leave of the Court to file their Amended Complaint pursuant to the provisions of Federal Rules of Civil Procedure 15(a)(2), and the March 1, 2023 Order of the Court.

In support of this motion Plaintiffs would show the Court that the parties have in good faith and professionally communicated at the appropriate times regarding attempts to settle or if not settled to narrow certain issues by agreement. As stated in the Joint Status Report that opposing counsel largely prepared and which Plaintiffs' counsel has just reviewed, the parties have narrowed certain issues, such as the accurate corporate name of Defendant, and, also the withdrawal of the Plaintiffs' pleading of a "contingent" remand. Plaintiffs' counsel has undertaken to comply with the Court's suggestion of pleading relevant, necessary fact and will try to improve the proposed fact pleading to fully advise of the particular legal issue involved.

All of which is respectfully submitted.

/s/ Gary W. Gardenhire

Gary W. Gardenhire, OBA #3235

Attorney for Plaintiffs

1005 Fountain Gate Cir.

Norman, OK 73072

CERTIFICATE OF SERVICE

I hereby certify that on March 20, 2023, a true and correct copy of the foregoing Motion For Leave To File Amended Complain was served upon the following counsel via the Court's electronic system, electronic mail, and/or U.S. Mail, postage prepaid thereon to:

Sara E. Potts
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-and-

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/s/ Gary W. Gardenhire